REMARKS/ARGUMENTS

Reconsideration of this application, as amended, is respectfully requested.

Paragraph 9 of the specification has been amended as requested in the Office Action and a typographical error in claim 25 has been corrected.

Claim 21 has been amended to recite a "network" and to clarify that bandwidth mismatch is identified according to definition of the peaks at different frequencies of the power spectrum (see e.g., paragraph 33 of the Specification). Claim 22 has also been amended to recite a "network". No new matter is added and these amendments obviate the objections under 35 USC 112, second paragraph.
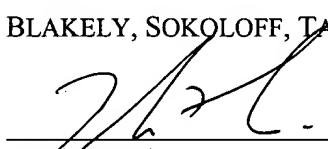
Claim 10 has been amended to clarify that the monitor node configured to determine whether cross-induced congestion or self-induced congestion is found in the communication path of the traffic stream of interest according to the correlation result. Such a determination is neither taught nor suggested by Aweya, which is concerned with determining the congestion state of a switch based on certain statistics of incoming traffic, but not whether such congestion is cross-induced congestion or self-induced as claimed. Accordingly, the rejections of claims 10-13 under 35 USC 103 have been obviated.

If there are any additional fees associated with this communication, please charge Deposit Account No. 02-2666.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Dated: __July 7, 2005__

Tarek N. Fahmi
Reg. No. 41,402

12400 Wilshire Blvd.
Seventh Floor
Los Angeles, CA 90025-1026
(408) 947-8200

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